

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA,

- v. -

ROBERT COPLAN,  
MARTIN NISSENBAUM,  
RICHARD SHAPIRO, and  
BRIAN VAUGHN,

Defendants.

AFFIDAVIT OF PAUL B. BERGMAN  
IN SUPPORT OF MOTION FOR  
ADMISSION OF JAMES B.  
TUCKER PRO HAC VICE  
07 Cr. 453 (SHS)

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STATE OF NEW YORK :  
: ss.:  
COUNTY OF NEW YORK :

PAUL B. BERGMAN, being duly sworn, hereby deposes and says as follows:

1. I am local counsel for Brian Vaughn, a defendant in the above-captioned action. I am familiar with the proceedings in this case. I make this affidavit in support of the within motion to admit James B. Tucker as counsel *pro hac vice* to represent Brian Vaughn in this matter. Except where the context shows otherwise, this affidavit is made upon information and belief.

2. I am a member in good standing of the Bar of the State of New York, and was admitted to practice law in March, 1968. I am also admitted to the Bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. James B. Tucker is a partner at Butler, Snow, O'Mara, Stevens & Cannada, PLLC, in Jackson, Mississippi.

4. Mr. Tucker served as the United States Attorney for the Southern District of Mississippi in 2001, and for 16 years before then, he was the Criminal Chief Assistant United States Attorney in the Southern District of Mississippi. Mr. Tucker has also served as a Trial Attorney in the Criminal Division of the Department of Justice, Senior Litigation Counsel in the Department of Justice, and Special Assistant Counsel in the Office of Professional Responsibility in the Department of Justice. Mr. Tucker is an Adjunct Professor at Mississippi College School of Law, teaching trial practice.

5. Mr. Tucker has served as trial counsel for over 100 jury trials and authored over 60 appellate briefs. He received the Director's Award for Superior Performance in Criminal Litigation in 1983 and 1998.

6. I believe these impressive credentials demonstrate that Mr. Tucker is a person of integrity and a skilled attorney, experienced in Federal Practice and familiar with the Federal Rules of Criminal Procedure and the Federal Rules of Evidence. A certified copy of Mr. Tucker's current Certificate of Good Standing from the Supreme Court of Mississippi is annexed hereto as Exhibit A.

7. Accordingly, I am pleased to move the admission of James B. Tucker, *pro hac vice*.

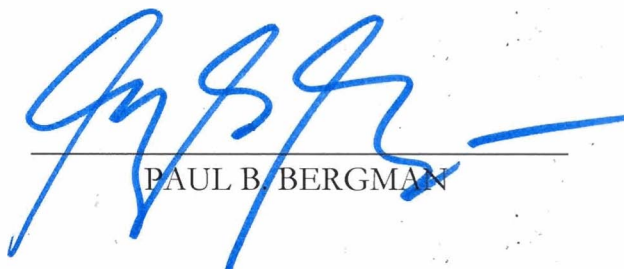
8. I respectfully submit a proposed order granting the admission of James B. Tucker, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE it is respectfully requested that the motion to admit James B. Tucker, *pro hac vice* to represent Brian Vaughn in the above captioned matter, be granted.

Sworn to before me this  
14th day of June, 2007

  
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NOTARY PUBLIC

PHYLLIS A. MALGIERI  
Notary Public, State Of New York  
No. 43-4802265  
Qualified In Richmond County  
Commission Expires June 30, 20 10

  
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PAUL B. BERGMAN